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EXAMINER

HWANG, JOON H

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/608,270

Applicant(s)

NEVILL-MANNING, CRAIG

Examiner

Joon H. Hwang

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/29/04, 10/20/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The pending claims are 1-60.

Specification

2. The disclosure is objected to because of the following informalities:
 - “(block 310)” in line 29 on page 5 of the specification should be “(block 41)”;
 - “(block 320)” in line 6 on page 6 of the specification should be “(block 42)”;
 - “(block 330)” in line 4 on page 7 of the specification should be “(block 43)”;
 - “(block 330)” in line 5 on page 7 of the specification should be “(block 43)”;
 - “(block 320)” in line 3 on page 8 of the specification should be “(block 42)”;
 - “(block 340)” in line 9 on page 8 of the specification should be “(block 44)”;and
 - The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code in line 13 on page 6 of the specification. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Appropriate correction is required.

Claim Objections

3. Claims 8, 9, 12, 30, 31, 34, 47, and 53 are objected to because of the following informalities:

- “the presence” in 2nd line of claim 8 should be “a presence”;
- “the absence” in 2nd line of claim 9 should be “an absence”;
- “claim 8” in 1st line of claim 12 should be “claim 11”;
- “the presence” in 2nd line of claim 30 should be “a presence”;
- “the absence” in 2nd line of claim 31 should be “an absence”;
- “claim 30” in 1st line of claim 34 should be “claim 33”;
- “each matching definitions” in last line of claim 47 should be “each matching definition”; and
- “each matching definitions” in last line of claim 53 should be “each matching definition”.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 16 and 38 contain the trademark/trade name PageRank in 2nd line of claims 16 and 38. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods

themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe PageRank and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-5, 8-9, 13-17, 23-27, 30-31, 35-39, 45-49, 52-55, and 58-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Kapur (U.S. Publication No. 2004/0249801).

With respect to claim 1, Kapur teaches a system for providing definitions (fig. 8). Kapur teaches a server receiving a phrase to be defined (i.e., a server 160 receiving a query to be defined from a client 120 in fig. 2, section 26 on page 3, section 176 on page 17, and fig. 8), determining one or more documents each containing at least one definition (i.e., a dictionary web page containing a definition and web pages containing descriptive information are crawled/spidered and indexed, section 176 on page 17, fig. 8, and sections 25 and 28 on page 3), and matching the phrase to at least one of the

definitions (i.e., at least one of the definitions is matched/located with the query in fig. 8, section 176 on page 17). Kapur teaches a user interface presenting one or more definitions for the phrase (i.e., definitions of the query are shown in fig. 8, section 176 on page 17).

With respect to claim 2, Kapur teaches receiving the phrase to be defined, determining one or more documents each containing at least one definition, matching the phrase to at least one of the definitions and presenting one or more definitions for the phrase are performed substantially in real time, batch mode, or a combination thereof (i.e., receiving the query from a client, matching/locating a definition of the query, and presenting the definition are performed in real time process in fig. 2, fig. 8 and section 39 on page 5, and crawling/spidering and indexing web pages containing definition element information can be performed in batch mode, section 25 on page 3).

With respect to claim 3, Kapur teaches the documents are Web pages (fig. 8, section 19 on page 2, and section 176 on page 17).

With respect to claim 4, Kapur teaches the determining includes conducting a query on a search engine (i.e., a search engine in a server, section 30 on page 4, sections 4-5 on page 1, and section 72 on pages 9-10).

With respect to claim 5, Kapur teaches the determining includes searching for documents that include a predetermined term in a predetermined field (i.e., crawling/spidering and indexing web pages that include a term in a body/section of a web page, section 176 on page 17, fig. 8, and sections 25 and 28 on page 3).

With respect to claim 8, Kapur teaches the matching includes determining the presence of the phrase in one or more determined documents (i.e., locating indexed web pages that include the query, fig. 8 and section 176 on page 17).

With respect to claim 9, Kapur teaches the matching includes determining the absence of the phrase in one or more determined documents (i.e., locating indexed web pages that include the query teaches discarding indexed web pages that do not include the query, fig. 8, section 176 on page 17).

With respect to claim 13, Kapur teaches retrieving an associated definition of the phrase (i.e., the query's additional definitions "b" and "c" are retrieved in fig. 8 and in case of "java" query, a definition of java as the computer language and additional definitions of java as the Indonesian Island and coffee can be retrieved, section 28 on page 3).

With respect to claim 14, Kapur teaches presenting one or more definitions includes ranking the definitions (i.e., ranking web pages containing definition elements, section 25 on page 3, section 176 on page 17, and fig. 8).

With respect to claim 15, Kapur teaches the ranking is based at least in part on the documents (i.e., ranking web pages containing definition elements, section 25 on page 3, section 176 on page 17, and fig. 8).

With respect to claim 16, Kapur teaches the ranking is based at least in part on the PageRank of the documents associated with the definitions (i.e., PageRank of web pages containing definition elements, section 25 on page 3, section 176 on page 17, and fig. 8).

With respect to claim 17, Kapur teaches the presenting further includes processing the definitions (i.e., retrieving and displaying a definition of the query in a format, fig. 8 and section 176 on page 17).

The limitations of claims 23 and 46 are rejected in the analysis of claim 1 above, and these claims are rejected on that basis.

The limitations of claim 24 are rejected in the analysis of claim 2 above, and the claim is rejected on that basis.

The limitations of claim 25 are rejected in the analysis of claim 3 above, and the claim is rejected on that basis.

The limitations of claim 26 are rejected in the analysis of claim 4 above, and the claim is rejected on that basis.

The limitations of claim 27 are rejected in the analysis of claim 5 above, and the claim is rejected on that basis.

The limitations of claim 30 are rejected in the analysis of claim 8 above, and the claim is rejected on that basis.

The limitations of claim 31 are rejected in the analysis of claim 9 above, and the claim is rejected on that basis.

The limitations of claim 35 are rejected in the analysis of claim 13 above, and the claim is rejected on that basis.

The limitations of claim 36 are rejected in the analysis of claim 14 above, and the claim is rejected on that basis.

The limitations of claim 37 are rejected in the analysis of claim 15 above, and the claim is rejected on that basis.

The limitations of claim 38 are rejected in the analysis of claim 16 above, and the claim is rejected on that basis.

The limitations of claim 39 are rejected in the analysis of claim 17 above, and the claim is rejected on that basis.

The limitations of claim 45 are rejected in the analysis of claim 23 above, and the claim is rejected on that basis.

With respect to claim 47, Kapur teaches a system for determining definitions from distributed information stores (i.e., crawling/spidering and indexing web pages containing definition/descriptive information from server systems, fig. 2, sections 25-26 on page 3, section 176 on page 17, and fig. 8). Kapur teaches a search engine identifying one or more documents, which is each maintained in a distributed information store and contains a definition for an associated phrase (i.e., a search engine in a server 160 in fig. 2 crawling/spidering web pages containing definition/descriptive information, section 30 on page 4, sections 4-5 on page 1, section 72 on pages 9-10, sections 25-26 on page 3, section 176 on page 17, and fig. 8), and storing information regarding each identified documents (i.e., indexing crawled/spidered web pages, section 25 on page 3). Kapur teaches a search front end matching a phrase for which a definition is sought against the stored information for each identified document (i.e., a server 160 in fig. 2 locating indexed web pages that include a query, fig. 8 and section 176 on page 17), fetching each identified document from the

distributed information store and returning one or more matching definitions, and presenting each matching definitions (i.e., retrieving indexed web pages from server systems and presenting definitions of the query, fig. 8, section 176 on page 17, and sections 25-26 on page 3).

With respect to claim 48, Kapur teaches a repository storing the information for a subset of the identified documents (i.e., storage 170 in fig. 2, section 27 on page 3).

With respect to claim 49, Kapur teaches a query engine conducting query for the phrase for which a definition is sought, comprising at least one of searching for at least one of terms, phrases, variants, and canonicalizations indicating a presence of a definition, searching for text or fields within a document indicating a presence of a definition, and search a structure of a document indicating a presence of a definition (i.e., a query processing engine for processing a query, wherein the query processing engine is included in a server 160 in fig. 2 and searching for query terms that indicate a presence of a definition, section 31 on page 4, section 176 on page 17, and fig. 8).

With respect to claim 52, Kapur teaches the matching definitions comprise at least one of matching terms and phrases, related terms and phrases, and random and eclectic terms and phrases (i.e., locating a query and its definition, in case of "java" query, a definition of java as the computer language and additional definitions of java as the Indonesian Island and coffee can be retrieved, section 28 on page 3 and fig. 8).

The limitations of claims 53 and 60 are rejected in the analysis of claim 47 above, and these claims are rejected on that basis.

The limitations of claim 54 are rejected in the analysis of claim 48 above, and the claim is rejected on that basis.

The limitations of claim 55 are rejected in the analysis of claim 49 above, and the claim is rejected on that basis.

The limitations of claim 58 are rejected in the analysis of claim 52 above, and the claim is rejected on that basis.

The limitations of claim 59 are rejected in the analysis of claim 53 above, and the claim is rejected on that basis.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 6-7 and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kapur (U.S. Publication No. 2004/0249801) in view of Maurer ("How to get a site listed in Goggle Glossary?", Internet online citation, 1/30/2003, 2 pages retrieved from http://groups.google.com/group/google.public.labs.glossary/browse_thread/thread/53719c13c14dfb7f/c78873b1745039cc?q=glossary&rnum=3#c78873b1745039cc on 12/8/05).

With respect to claim 6, Kapur discloses the claimed subject matter as discussed above except the predetermined term includes one of a glossary, definition, and

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dictionary. However, Maurer teaches the predetermined term includes one of a glossary, definition, and dictionary (i.e., searching web pages containing "glossary", "definition", or similar words in the page's title, sections 13 and 15 on page 2) in order to locate a web page containing a definition. Therefore, based on Kapur in view of Maurer, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Maurer to the system of Kapur in order to locate a web page containing a definition.

With respect to claim 7, Kapur discloses the claimed subject matter as discussed above except the predetermined field is a title field. However, Maurer teaches the predetermined field is a title field (i.e., searching web pages containing "glossary", "definition", or similar words in the page's title, sections 13 and 15 on page 2) in order to locate a web page containing a definition. Therefore, based on Kapur in view of Maurer, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Maurer to the system of Kapur in order to locate a web page containing a definition.

The limitations of claim 28 are rejected in the analysis of claim 6 above, and the claim is rejected on that basis.

The limitations of claim 29 are rejected in the analysis of claim 7 above, and the claim is rejected on that basis.

10. Claims 10-12, 32-34, 50 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kapur (U.S. Publication No. 2004/0249801) in view of Lindblad et al. (U.S. Publication No. 2004/0073541).

With respect to claim 10, Kapur discloses the claimed subject matter as discussed above except determining the presence of the phrase further includes determining an exact match of the phrase. However, Lindblad teaches determining the presence of the phrase further includes determining an exact match of the phrase (i.e., searching for text in documents that exactly matches a given phrase, section 199 on page 9 and sections 206 and 209 on page 10) in order to retrieve document fragments that are relevant to the query phrase. Therefore, based on Kapur in view of Lindblad, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Lindblad to the system of Kapur in order to retrieve document fragments that are relevant to the phrase.

With respect to claim 11, Kapur discloses the claimed subject matter as discussed above except the matching comprises modifying the phrase. However, Lindblad teaches the matching comprises modifying the phrase (i.e., modifying the query to its canonical form, section 141 on page 6, sections 154 and 156 on page 7, and fig 9) in order to optimize the query phrase. Therefore, based on Kapur in view of Lindblad, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Lindblad to the system of Kapur in order to optimize the phrase in searching documents.

With respect to claim 12, Kapur does not explicitly disclose modifying the phrase comprises determining a canonical form of the phrase. However, Lindblad teaches modifying the phrase comprises determining a canonical form of the phrase (section 141 on page 6, section 154 on page 7, and fig 9). Therefore, the limitations of claim 12 are rejected in the analysis of claim 11, and the claim is rejected on that basis.

With respect to claim 50, Kapur discloses the claimed subject matter as discussed above except a parser parsing the identified documents to identify occurrences of the phrase for which a definition is sought. However, Lindblad teaches a parser parsing documents to identify occurrences of a phrase (section 42 on page 3, section 104 on page 5, section 220 on page 10, and fig. 9) in order to provide statistical information of the phrase. Therefore, based on Kapur in view of Lindblad, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Lindblad to the system of Kapur in order to provide statistical information of the phrase.

The limitations of claim 32 are rejected in the analysis of claim 10 above, and the claim is rejected on that basis.

The limitations of claim 33 are rejected in the analysis of claim 11 above, and the claim is rejected on that basis.

The limitations of claim 34 are rejected in the analysis of claim 12 above, and the claim is rejected on that basis.

The limitations of claim 56 are rejected in the analysis of claim 50 above, and the claim is rejected on that basis.

11. Claims 18-19 and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kapur (U.S. Publication No. 2004/0249801) in view of Coden et al. (U.S. Patent No. 6,922,809).

With respect to claim 18, Kapur discloses the claimed subject matter as discussed above except presenting a substantially most common capitalization of the phrase. However, Coden teaches presenting a substantially most common capitalization of a phrase (lines 18-26 in col. 1 and line 17 in col. 3 thru line 5 in col. 4) in order to allow a user to read the phrase more easily. Therefore, based on Kapur in view of Coden, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Coden to the system of Kapur in order to allow a user to read the phrase more easily.

With respect to claim 19, Kapur teaches presenting less common forms of the phrase (i.e., "quantity" phrase in lowercase in fig. 8).

The limitations of claim 40 are rejected in the analysis of claim 18 above, and the claim is rejected on that basis.

The limitations of claim 41 are rejected in the analysis of claim 19 above, and the claim is rejected on that basis.

12. Claims 20-22, 42-44, 51, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kapur (U.S. Publication No. 2004/0249801) in view of Beeferman et al. (U.S. Patent No. 6,701,309).

With respect to claim 20, Kapur discloses the claimed subject matter as discussed above except determining superstrings of the phrase present in the documents. However, Beeferman teaches determining superstrings of the phrase present in documents (lines 41-59 in col. 1) in order to improve a user's search query. Therefore, based on Kapur in view of Beeferman, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Beeferman to the system of Kapur in order to improve a user's search query.

With respect to claim 21, Kapur does not explicitly disclose presenting at least some of the determined superstrings. However, Beeferman teaches presenting at least some of the determined superstrings (i.e., suggesting and presenting superstrings of a query to a user, lines 41-59 in col. 1, lines 41-49 in col. 2, and lines 37-43 in col. 11). Therefore, the limitations of claim 21 are rejected in the analysis of claim 20 above, and the claim is rejected on that basis.

With respect to claim 22, Kapur does not explicitly disclose at least one of presented superstring is presented as one of a related phrase and a suggested query. However, Beeferman teaches at least one of presented superstring is presented as one of a related phrase and a suggested query (i.e., suggesting superstrings of a query to a user, lines 41-59 in col. 1, lines 41-49 in col. 2, and lines 37-43 in col. 11). Therefore, the limitations of claim 22 are rejected in the analysis of claim 21 above, and the claim is rejected on that basis.

With respect to claim 51, Kapur discloses the claimed subject matter as discussed above. Kapur further teaches a processor processing the matching definition

(i.e., a server 160 in fig. 2 locating definition, fig. 8 and section 176 on page 17). Kapur does not explicitly disclose at least one of a filter limiting the matching definitions to substantially matching definitions and a definition module providing at least one of a superstring, common variants, and common forms of the phrase for which a definition is sought. However, Beeferman teaches at least one of a filter limiting the matching definitions to substantially matching definitions and a definition module providing at least one of a superstring, common variants, and common forms of the phrase for which a definition is sought (i.e., suggesting superstrings of a query to a user, lines 41-59 in col. 1, lines 41-49 in col. 2, and lines 37-43 in col. 11) in order to improve a user's search query. Therefore, based on Kapur in view of Beeferman, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Beeferman to the system of Kapur in order to improve a user's search query.

The limitations of claim 42 are rejected in the analysis of claim 20 above, and the claim is rejected on that basis.

The limitations of claim 43 are rejected in the analysis of claim 21 above, and the claim is rejected on that basis.

The limitations of claim 44 are rejected in the analysis of claim 22 above, and the claim is rejected on that basis.

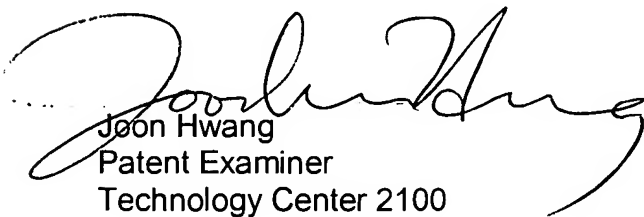
The limitations of claim 57 are rejected in the analysis of claim 51 above, and the claim is rejected on that basis.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 571-272-4036. The examiner can normally be reached on 9:30-6:00(M~F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joon Hwang
Patent Examiner
Technology Center 2100

12/8/05